## THE COURTS.

Judicial Protection Over the Estates of Lunatics.

PROCEEDINGS IN BANKRUPTCY.

Trial of Mary Brown for the Murder of Frederick Wiegand.

The Common Pleas, General Term, met yesterday, and after delivering a batch of decisions in cases ar-gued during the last term of the court, adjourned rithout date. The most important of the decisions endered by the Court was that in the matter of J. Gates, a lunatic, which came before the Court nainly on the question as to the authority of the Court to require the committee of a lunatic to make compensation out of his estate to counsel retained by the lunatic to defend him against the attempts to adjudge him means. In this case the Court beliew ordered such allowance to the extent of \$2000 Judge Robinson who writes the only \$500. Judge Robinson, who writes the opin-ion of the Court on the appeal, says that the case in respect to costs, although a special proceeding, is not one controlled by the code or the act of 1854 athe rate allowed for similar services in civil actions, set these provisions have relations solely to the awarding of costs inter partis, but such allowance is to be made, it at all, according to the services necessarily rendered to the estate of the lunatic, while the person proceeded against in such a proceeding is not to be deprived of the means of protecting his legal rights. The property he possesses for the support of himself and family should not be unnecessarily wasted in useless litigation; but to warrant counsel in opposing it should appear that there was reasonable ground for behaving that the party proceeded against was not as itmatic, and whether, it such fact was in doubt, the Court would have have directed and sanctioned such opposition. The theory that an allegad lunatic may employ a solicitor to resist the commission and afterward for traversing it, and that his estate is liable for costs, unless there be unnecessary or irivolous litigation, accords with the current decisions of our courts. White thus affirming the power of the Court in this respect, the nilowance made cannot on the evidence be regarded otherwise than excessive. The case is not an ordinary one arising out of mere employment of an attorney, whose compensation is to be upon the quantum merrat for all he does, discreetly or otherwise, at the dictation or with the approphation of his client. The claim is one that can only be allowed in such a case as the present upon its being established by competent proof "that there was reasonable froughts for believing that the party proceeded against was not a lunated," and that only such services were rendered as were within a wase exercise of juigment and free from imputation that any efforts were wasted on Irivolous or useless litigation resulting from caprice or indiscretion on the party of citner attorney. It is particularly the province of courts, as guardians of the estate of a lunatic, to protect it from any confiscation is response incurred with its sanction, beyond what the credence presented mily warrants and justifies exercited as charg ug of costs inter partis, but such allowance is to be ade, it at all, according to the services necessarily

COMPOSITIONS IN BANKRUPTCY. An important decision has just been rendered by the General Term of the Court of Common Pleas in the case of Bamberg, Hill & Co., against Jacob Stern, the opinion being written by Judge Van Hoesen and concurred in by Judge J. F. Daly, in which the Court bankruptcy wall bar debts, even if fraudulently contracted. The plaintiffs recovered an ordinary judgment by detacit against the defendant, but the plaintiffs had also obtained an order for the arrest of the defendant on the ground that the poods sued for in the compliant had been fraudziently obtained. After judgment was entered William Strauss, the decidency coursel, made a motion at the Marine Court, Chambers, for a perpetual stay of execution, setting out as the ground of the application the cogposition in bankruptey which the defendant had meanwhite effectee. The application being denied the defendant appealed to the General Term of the Marine Court, where the gruer was reversed, and the Court granted the stay of proceedings asked for by the defendant. The plaintiff, appearing by Messra, Hart and Bamberger, appearing from this decision, went to the Common Pleas, General Term, where the judgment of the Marine Court, Geograf Term, has been still med with costs, and the defendant's motion for a stay grantou. The importance of this decision is well understood by lawyers, as the Supreme Court of this decision is the store inst the other way. Judge Van Hoesen, in his the plaintiffs recovered an ordinary judgunderstood by inwyers, as the Supreme Court of this Department, he a recent case, determined the point at issue just the other way. Judge Van Hoesen, in his opinion, refers to decisions in bankruptcy made by audge Loweii and Judge Blatcuford, and follows their argument in drawing the distinctions between a composition and a discharge. He holds that the mere fact that a bankrupt from her refused a discharge is not an absolute bar to a composition; that a discharge relieves the bankrupt from his debts whether there are or are not assets for distribution and that under the composition money is paid in satisfaction of the debt—the debts discharged, paid and satisfied with the assets of the creditor. In referring to the act of Congress which created the composition law, Judge Van Hoesen Says:—"The act of Congress reliating to composition is modelled after section 126, enapter 71, of 32 and 33 Victoria, which is acted as the Bankrupt act of 1869. Congress did not see fit, however, to adopt section 13, cnapter 62, 32 and 33 Victoria—the Imprisoned Debtors act—for that section provides that a debtor who makes any composition shall remain hable for the uppaid balance of his debt which may have been fraudulently contracted unless every creditor shall assent to the composition; that accepting a dividend shall not be considered as an assent to the composition. It is only by virtue of the imprisoned Deutors act that a debtor in England who has made a composition is liable to arrest, and as in this country there is no such act there is no way of celeating or modifying the effect of the language of the act of 1874."

KILLED BY A WOMAN'S KICK. No. 84. Albert Kenyon, &c., by gusrdian, respondent, vs. The New York Central and Rudson Rewer Railroad, appeliant.—Submitted.

No. 272. The Hudson River Bridge Company, appeliant, vs. John A. Patterson and others, respondents.—Argued by Matthew Hale for appeliant, Amiss J. Parker for respondent.

No. 248. Dantel A. Mowry, Jr., respondent, vs. Simon W. Rosendate, receiver, &c., appeliant.—Argued by William P. Prentice for appeliant, Judico T. Davies for respondent.

No. 234. I homes Taylor, respondent, vs. Alexander Philip, appellant.—Argued by Psyson Morrili for appeliant, A. Bell Malcomson, Jr., for respondent.

No. 279. Cordella A. Lines, respondent, vs. James M. Seabury, appellant.—Submitted.

Motion calendar for Tuesday, June 18, 1878:—No. 318. Riggs vs. Purcedit, No. 419. Band vs. The Mayor, &c.; No. 420. Paople ex rel. Salerice vs. The Bourdof Poince; No. 422. In re Hatch; No. 414. Richards vs. Richards; in re Guardian and other the insurance companies; No. 426. In re Walker to vacate; No. 428. Smith vs. Rathbun, mapleaued; No. 431. In re New York Protestant Episcopal Public School to vacate; No. 433. In re Burmuler to vacate; No. 433. In re Tuesday, June 18, 1878:—Mos. 280, 281, 282, 282, 287, 289, 292 and 295.

COURT OF APPEALS.

In the Court of Appeals to-day-present, Judge San-

ford E Caurch and associates—the following business

AN ACTOR'S SALARY. Paniel H. Harkins, the actor, has brought sesuit in the Court of Common Pleas against Augustin Daly, late proprietor of the Fifth Avenue Theatre, to re-

late proprietor of the Fifth Avenue Theatre, to recover a balance of salary which he claims to be due
him. Mr. Harkins says that hi was employed by Mr.
Daly from 1874 to 1877, and ought to have been paid
\$21,000, whereas he was only paid \$17,536 35, and he
now sues to recover \$3,440 65. The case came before
Judge Van Hoesen, holding Special Term of the Court
of Common Pleas, on a motion to place the case on
the anort calendar. Judge Van Hoesen yesterds parendered a decision denying the motion.

QUESTIONS OF VERACITY. Frank Dorman and Thomas Welsh, the toso men

who were arrested in West street on Eunday, after a hard fight, by Officer Thomas Daly and son so of his

the Jefferson Market Court yesterday belt are Judge Murray. There was present a large crowd of inter-

Murray. There was present a large crowd of interested spectators, including Captain McDo meet and several of his officers. Dorman's face was surmounted by a deep gash running across the right temple, and a couple of ugly braises marked se there cheek, while Welsh bore evidences on his scaap of having received hard usage. Officer Daly mad he had attempted to arreat Dorman for drunkenness and altered to constitute the latter turned upon have, and, with Welsh's assistance, wrended the club from his band. The crowd then shouled the distribution of the couple o

was transacted:-

ALBANY, N. Y., June 17, 1878.

KILLED BY A WOMAN'S KICK. A woman name Mary Brown, residing at No. 22 Cherry street, was arraigned in the Court of General us by Assistant District Attorney Herring yesterday, charged with manslaughter. On March 21 the woman, accompanied by her son, a boy five years of sic, chiered the lager beer saloon of Frederick Wigand, at No. 122 Hester street, and asked for aims. Wigand upbraided her for leading the life of a mendicant, upon which she became angry and used some offensive epithets. On leaving the saloon she siammed the door in a violent manner. As Wigand went to shut it the woman turned upon him and kicked him in the absomet, from the effects of which he died in a lew days. In reply to her counsel, Mr. Edmund E. Price, the accused stated that she went into the saloon to sell pencils, when she was grossly insuited by two of Wigand's customers, one of whom pushed her. She made a keck at the man who pushed her, but missing the person for whom the kick was intended her foot struck the decemed. The jury, after a brief absence, lound the prisoner guilty of manslanghter in the jourth degree. Mr. Price made an earnest appeal in her behalf, stating that she was a widow and had five children. Judge sutherland sent her to the Penitendary for one year.

SUMMARY OF LAW CASES. In the suit for divorce brought by Hollins B. Cole against his wife, Cora Louise Cole, otherwise known as Cora Pearl Husted Cole, the lacts of which have been published, a reference was ordered yesterday by Judge Donohue to Mr. A. F. Hammersly.

Judge Van Hoesen, in the Court of Common Pleas, yesterday granted a judgment in favor of the plaintiff to the suit brought for divorce, on the ground of aquitery, by Heiene Fischer against her husband, Eugene

beginning of the fray had drawn a knade upon him, and it was that which caused him to sarike the fivel blow.

Before any further examination was made Captaint McDoniell said he desired to question the prisoner about the charges he made relative to being clubbed in his coil. Upon which Dorman at once broke out with a flat declaration that he had been knocked down outside his cell and clubbed about the head and shoulders. He then opened his shirt and exposed to view a number of black and blue stripes.

Then the Captain and the doorman and other officers testified that they had scarcely loss sight of the prisoner and his obstors; that the former had begun the affray and fought along the street as far as the station house door, and that Partolman Daiy had not exceeded his duty a whit. Then came the winesses for the defence, and they at once led to denying everything the officers had said. The officers, however, repeated their story without deviation from the original version, and as some of the other witnesses contradicted themselves several times the Court concluded there was probable cause to hold the two prisoners.

in the suit brought for divorce, on the ground of aquitary, by Hoiene Fischer against her husband, Eugone Fischer. A similar judgment was also granted by the Same Judge in the suit for divorce brought by Johanna Schusper against John Schauser.

The second trail of David Marsh, a pedier, seventy-two years of age, charged with receiving large quantities or spool coston and needles stolen from H. B. Claffin & Co., was resumed yesterday in the Court of General sessions before Judge Gildersleeve and will be continued to-day.

Hans F. Loowe, in a petition presented to Judge Evigence in the Superior Court yesterday, states that he is the father of Paul Loewe, an infant eleven years old; that on the 24th of May has, a No. 107 Allen street. Frederick Dimmer violectly assaulted Paul with a piece of hard wood, inflicting serious lugaries. Upon this sinte of facts Judge Van Hoesen granted his petition to be made guardian ad litem for Paul to bring a suit against Dimmer for damages.

In the case of Freedent Foshey and Superintendent Newell, of the Broadway and Seperith Avenue Rail food, charged with violating the Election law in having, as singed, attempted to influence the votes of some of their employes at the last election, several witnesses were before the Grand Jury yesterday.

The contest over the will of Louisa S. Sturmer was found to the Court of the Court of the Sturmer was found to the father in the matter.

The contest over the will of Louisa S. Sturmer was found to the Court of the Court o

September, 1876, and Mar, 1877. The examination of this witness, a quaint old German woman, occupied the siteration and the case was adjourned.

John Kelly, a norse jockey, was tried in the Court of General Sessions yesterday for larceny from the person, in having on the 28th of last May stolen a watch and chain from James Lynch. The issuinosy of the complainant was very amuning, and on the agrees-examination, which was conducted by Mr. A. B. Hummel, he admisted having been on a pienic on the night his watch was stelen, and stated that the night his watch was stelen, and stated that the prisoner took the property while the witness was in a recumbent pesture in a wagon in East Twenty-flourth street, between three and four o'clock in the morning. The jury after brief deliberation rendered a verdict of not guilty and Kelly was discharged.

deuts is over and the gentlemes have returned to their respective piles of greenbacks it is generally anked, What was the object of this fibancial gather-ing? The object of the bankers was to "have a good time" and that of the railroad companies was as in the morning. The jury after brief deliberation rendered a verdict of not guilty and Keily was discharged.

In the suit of Wilham E. Brockway against Peter Hobbrook, a policeman, and in which an application was made for his further examination as to his property, the facts of which have aiready been published in the Hamain, Judge Van Hossen yesterday rendered a decision, in which he says that Hobrook has already been fully examined and he deems it uncleas to compel him to obtain leave of absence for further attendance before the referee. Judge Van Hossen than soes on to say:—"If the plaintiff wishes to examine Mr. Holbrook or other withcesses he may proceed in the regular way to do so. I will not, however, order the payment of Holbrook's salary to the plaintiff. If the case its aproper one the Police Commissioners will enforce the payment to plaintiff of the claim."

The case of Edward Underhill against the city came before Judge Van Hoesen in the Gourt of Commou Pleas yesterday on a demurrer to the complaint. The complaint states that on the 10th of October, 1872, the Surrozate, being authorized by law so to do, appointed one Edward F. Underhill is enographer to the Surrozate, being authorized by law so to do, appointed one Edward F. Underhill is enographer to the Surrozate, being authorized by law so to do, appointed one Edward F. Underhill is enographer to the Surrozate, being authorized the same; that the latter entered upon the duties of his office and has ever since discharged the same; that the city failed to pay him a buliance for each year from 1872 to 1876 inclusive, aggregating \$1,739 68, and this suit is brought by the plaintiff, is his assignee, to recover the sum mentioused, the Comproiler, upon demand, having relused to pay the same. The complaint was demurred to on the ground that it did not state lacts sufficient to constitute a cause of action. Judge Van Hoesen reserved his decision.

There was tried yesterday, before Judge Barrett holding Supreme Court, Circuit, a suit brought by the land, much newspaper glory as possible and an emphatic vindication of the broad gauge principle. As the party was speeding on to Atlantic City Mr. Merrick, a director of the broad gauge road from Philadelphia to Atlantic City, pointed at the track of the rival line close by, and, with withering score, he exclaimed, "There's our rival line—it isn't worth s row of beans!" This was the first indication of the deadly foud prevailing between the desperate proportions of the memorable conflict between the Eatanswill Gazette and the Eatanswill Independent in the "Pickwick Papers." Ex-Mayor Wick ham, to whom Mr. Merrick's exciamation was ad-dressed, looked black and perhaps a trifle incredubitter war waged by the two roads and of the fact that the whole town of Atlantic City (population 3,000) is afiame on the subject of the contest between the broad gauge and the narrow gauge—a contest which, to juoge from the intensity to which popular senti-

fall of man at the very least. "they only have got forty pounds of steel rail to the yard, while we have got sixty," and at the latter

ment has been worked up, must have dated from the

figure bis eyes flashed with pride. BROAD GAUGE OR NARROW GAUGE. with the superiority of the broad gauge principle before they reached Atlantic City. They mentally shouted, as it were, "Burrah for the broad gauge!" The foud between the two roads, it appears, arose COURT CALENDARS—THIS DAY.

SUPREME COURT—CHAMNER—Hald by Judge Potter.—
Nos. 9, 39, 48, 46, 53, 58, 68, 80, 115, 117, 124, 125, 127, 138, 139, 152, 154, 156, 160, 162, 171, 172, 173, 175.

SUPREME COURT—GENERAL TERE.—Adjourned until July 30, 1878.

SUPREME COURT—SPECIAL TERE.—Adjourned until July 30, 1878.

SUPREME COURT—SPECIAL TERE.—Held by Judge Donooue.—Law and fact.—Nos. 461, 545, 667, 471, 56, 67, 250, 26, 356, 364, 562, 131, 557, 562, 563, 564, 567, 471, 56, 67, 250, 26, 366, 135, 131, 557, 562, 563, 564, 567, 471, 56, 67, 250, 26, 366, 135, 131, 557, 562, 563, 564, 567, 471, 56, 572, 573, 574, 79, 469, 470, 502, 508, 325, 514, 520, 306, 519, 524, 525, 243, 362, 576, 215, 369, 573.

SUPREME COURT—CRECUT—Pattl—Held by Judge Van Brunt.—Nos. 3242, 661, 862, 2723, 2724, 3133, 3239, 2647, 829, 1309, 134, 3423, 1631, 1719, 43345, 2177, 3540, 1708 54, 18 54, 440 54, 1021, 3388. Part 2—Held by Judge Van Vorst.—Nos. 1339, 1494, 3342, 1365, 1379, 2493, 405, 1421, 1650, 2566, 1429, 1664, 1119, 1651, 1594 54, 1663, 797, 2812, 1330, 1459, 1662, 1566, 822, 1583, 3652, Part 3—Held by Judge Barrett.—Nos. 1527 54, 1547, 3479, 1174, 1262, 377, 291, 1482, 1263, 1540, 1403, 1542, 2995, 3180, 1539, 1443, 816, 463, 1529 54, 1519.

SUPREME COURT—GENERAL TERE.—Adjourned until the fourth Monday of June.

SUPREME COURT—FIELL TERE.—Adjourned until the fourth Monday of June.

SUPREME COURT—FIELL TERE.—Adjourned until the fourth Monday of June.

SUPREME COURT—FIELL TERE.—Part 1—Held by Judge Sangwick.—Mo day calendar.

SUPREME COURT—New SAS, 835, 825, 758, 313, 859, 1066, 167, 134, 1264, 173, 1264, 839. Part 2—Held by Judge Sanford.—Nos. 1275, 97, 596, 745, 318, 753, 360, 554, 445, 174, 143, 263, 805, 446, 839. Part 2—Held by June Freedman.—Nos. 875, 1022, 964, 929, 930, 931, 932, 933, 1006, 1025, 894, 913, 981, 994, 896, 907, 898, 899, 909, 901, 995, 1013, 970, 996, 495, 496, COMMON PLEAS—EQUITY TERE.—Adjourned for the Common Pleas—Equity Tere.—Adjourned for the from a quarrel in the management. Some of the direct tors in the old road—the broad gauge—got disantisfied and started the rival line more out of spite than in the hope of making money, and the consequence is that while the trains of the two roads, running alongside each other during a good portion of the way, are racing hard and fast, fares are lower than ever and neither of the companies is paying dividends for the present. But this exciting bankers' excursion was to be marked by disturbing fends throughout its question was, Where should they stop—at Congress Hall or at the Brighton? Both bouses had made Hall or at the Brighton? Both houses had made some properations. The Brighton people claimed toat they would reitertain the wealthy excursionais free of charge, while the Congress Hail proprietor would only charge them \$5 a head. It should be remembered the this was a "complimentary excursion," in which Uie excursionists paid for everything except meers referous transportation. Well, the Congress Hail people captured the excursion from its greater size as a caravansary and the favor of the railroad company, and consequently there was gnashing of teeth fat the Brighton.

The manuse, it and also about eight hundred cottages for quiet, unostentations homelife. At one time it was only irequented by the rougher element of Poiladelphia, and the visitors came in huge popular excursions. The rainroad built some monster "excursion nouses," with vast dancing halls, &c., and this rather "last," feature of the place is still preserved at its lower end. At the upper ens, however, there is quite a different seaside file. There are a number of totels frequented by the better classes of Philadelphia and Baltimore, and their are also nearly eight hundred cottages occupied by genteel iamtles of modest means by the season. Quie a nice frame cottage, with from eight to ten rooms, may be bought for \$2,000 to \$3,000. For \$3,000 quite a manuscame, with from eight to ten rooms, may be bought for \$2,000 to \$3,000. For \$3,000 quite a manuscame, with from eight to ten rooms, may be bought for \$2,000 to \$3,000. For \$3,000 quite a manuscame, with from eight to ten rooms, may be bought for \$2,000 to \$3,000. For \$3,000 quite a manuscame, with from eight to ten rooms, may be bought for \$2,000 to \$3,000. For \$3,000 quite a manuscame, with from eight to ten rooms, may be bought for \$2,000 to \$3,000. For \$3,000 quite a manuscame of the form of th

none of the danger in bathing that prevaits at Long Branch.

THE LIGHTHOUSE,

One of the great attractions is the Absocom lighthouse, of which Major Wolff is the keeper. It is to third in the country in the height of the structure, and the view from it is superb. The Major's wide is his ansistant, receiving the government salary of \$400 per year. She relieves her husband overy three or lour hours in watching the light, and often gives him an extra hour's sleep when it is his turn to mount the dome. The signal station, which is an unusually complete one, is also an object of interest. The new diversion this aummor will be the skating rink opened last week, which will give the visitors an opportunity to indulge in the delightful pastine of roller skating. Now that the New York bankers have left the town has promptly subsided into its usual quiet, and the hotels at wagain pretty empty. The seesson proper does not set kin fully before the list of July.

THE RETURN TRIP TO NEW YORK. The return trip of the bankers to New York yesterthe return trip of the bankers to New York yester-day morming was accomplished in three hours and a hair, the average speed of the special trains which conv. syed them being nearly fifty miles per hour. A speci. It train of the Camden and Atlantic started from Atlant & City at hair-part seven and brought them to Camde by nive o'clock, and the Pennsylvania Rail-

way in a quick run of an hour and fifty-five minutes to New York. On the way numerous elaborate com-pimentary resolutions and speeches were exchanged between the rollway officials, who had granted free transportation, and the bankers, who had accepted it.

RAILROAD TROUBLES.

APPREHENSIONS FOR THE ST. LOUIS, ALTON AND TREBE HAUTE BOAD.

years ago the St. Louis, Alton and Terre Haute Railroad was lessed on a ninety-nine year loase to the indianapoins and St. Louis Railroad. The conditions were that the lesses should pay thirty per cent of the gross earnings up to \$2,000,000, but in no one year to guarantee this net rental of \$450,000 three roads entered into a contract to be guaranters. These roads were the Indianapolis, Cincinnati and Lafayette; the Pittsburg, Fort Wayne and Chicago, and the Cleveland, Columbus, Cincinnati and Indianapolis. Hardly had the contract been consummated than the Indian-apolis, Cincinnati and Lalayeste withdrew from it, and during the last nine years every deficiency between the net earnings of the road received has been made up by the Pittsburg. Fort Wayne and Chicago, and the Cleveland, Columbus, Cincinnati and Indianapolis railroads; that is to say, instead of taking one-third apiece, they have been taking one-haif each. The net carnings have been gradually decreasing for the last three or four years, and by the report of 1876, there was a deficiency to be made up of \$241,000, the net earnings to the Indianapolis and St. Louis Railroad being only \$200,000. Last year matters were still worse, and although no figures could be obtained, it is stated that the deficiency to be made up for that time will amount to \$300,000. It has been costomary to make up this deficiency by the guarantors giving notes to the St. Louis, Alton and Terre Haute Railroad. These notes for back deficiencies were given every three months until the last two years, sloce which time they have been given every two months.

\*\*Two notes for what amount the officials decline to state) will fail due on July 3, and the makers (the guarantors) have given notice to the St. Louis, Alton and Terre Haute Railroad that they will not pay them unless the terms of the original contract are modified. It is not exactly stated what terms these roads would be willing to take, but it is conjectured by the authorities here that they would be satisfied to revise the tense on a basis of \$300,000 annual rental, and drop out the Indianapoles. Cincinnati and Lafayette Hailroad, which was supposed to have taken one-third of the responsibility.

The efficients of the St. Louis, Alton and Terre Haute say that anness an amicable settlement can be made they propose to test the matter in the courts. All parties are thus lar friendly, but no offers of compromise have yet been put forward.

If this case was brought to a suit, and the courts should decide that \$300,000 is all the rental these roads are obliged to pay, there would not, it is said, according to the sationed decide that \$300,000 is all the rental these roads are obliged to pay, there would not, it is said, according to the suiting of the St. Louis, Alton and Terre Haute Brist morigage bonds amount to \$150,000 on the sucking luminations.

\$254,000 the income bonds.

19,000 on the sucking spicee, they have been taking one-half each. The net carnings have been gradually decreasing for the last

RETIREMENT OF A PRESIDENT.

Mr. Androw R. Culver, President of the Prospect Park and Coney Island Railroad Company, is about to retire from that position, and offers his controlling in-terest in the road for sale at puone auction in this city on the 25th inst. Mr. Culver says that he retires purely from personal reasons, his health being broken.

THE WEST END RAILWAY.

Chancellor Runyon yesterday heard argument at tion recently obtained by the Long Branch Corpora-tion Commissioners against the West End Railway ton Commissioners against the West End Railway Company, prohibiting the company from carrying their line through Second street of that place. Howell S. Jones and others appeared for the railroad company, and ex-Attorney General Vanatta and Mr. Vredenberg, of Monmouth county, for the commissioners. The argument was not concluded and the Chancellor directed that a further hearing in the case be had on Thursday next. He aise ordered a modification of the injunction, so that in the meantime the company might go on and condemn land and acquire title thereto at their own peril.

ANOTHER PUBLIC MARKET.

WHAT THE CITY MAY DO WITH THE "JOBT GANSEVOORT PROPERTY"-A HEAVY CLAIM COMPROMISED.

A petition has been presented to the Board of Aldermen from a number of property owners and residents of the Ninth, Fitteenth and Sixteenth wards requesting that the ground bounded by Gansevoort, Little West Twelith, Washington and West streets, known as part of the "Fort Gansevoort property," be set apart as a depot for farmers' wagons for the sale of garden produce by market gardeners. The petition States that "the market gardeners have at present no fixed or permanent stand and their locations are continually changing, to the great detriment of their business." It is contended that this place would prove an eligible site for such a market, to revenue being derived from the property by the city at present, and that "the narrow, growded streets in the lower part of the city will be greatly relieved, as under the present system of stationing these wagons in the vicinity of the markets traffic and travel in the lower part of the metropolis are greatly obstructed."

According to records on file in the Finance Department the following is a history of a certain claim by the city growing out of a lease given for those premises: states that "the market gardeners have at present no

ment the following is a history of a certain claim by the city growing out of a lease given for those promises:—

In 1856 the city leased the property to the Bleecker Street and Futton Ferry Railroad Company for a term of fifteen years at \$5,050 per anount and taxes. The company failed in 1871, and went into the hands of a receiver, who leased the road to the lwenty-third Street Railroad Company at a rental of one and a half per deat on \$500,000 of stock held by the stockholders or \$18,500 a year. At the time of the failure the company owed the cuty \$75,000 for rent and taxes, and the city also had a suit pending for six years' car inconses, amounting to \$17,500. The company of aimed offsets to the amount of over \$75,000 for damages sustained in relaying tracks on Eleventh avenue, occasioned by the city building a sewer and for value of buildings erected on the property by the company.

As offer was recently made by the Twenty-third Street Railroad Company to cancel the lease running until 1891, give up the property and pay \$17,500 as a compromise of the city's claims against the Bleecker Street Railroad. The Corporation Counsel advised Compitolier Keily that the Twenty-third Street Railroad Company was not liable for any debts of the Breecker Street Railroad, and that, in the event of a judgment being obtained by the city, it could only be collected from the percentage paid by the Twenty-third Street Railroad Company under the lease to the stockholers of the Bleecker street Railroad, and that, in the event of a pudgment being obtained by the city, it could only be collected from the precentage paid by the Twenty-third Street Railroad Company under the lease to the stockholers of the Bleecker street road. A receiver would first have to be appointed, and even then there might be practical difficulties in the way of collecting the judgment. Comproler Keily, therefore, on the 12th inst accepted the offer mase by the Twenty-third street company as the best way to settle a tedious law suit and get immediate possessi

A strong effort is being made by the Union Ferry Company to upaet the decree recently granted by Judge Van Vorst setting ande as null and void the ten years' lease, from December 3, 1870, by the Commissioners of the Sunking Fund to the city of the various ferry franchises under the control of the lerry comferry franchises under the control of the lerry company. A motion was made yesterday before Judge Van Vorst, on behalf of the lerry company, to have the case reopened on the ground of newly discovered evidence. In support of the motion an affidavit was submitted by Mr. Charles E. Miller setting forth that at the time of the grantink of the lease the debt of the city amounted to \$21,935,704 56, and the redemption fund to \$17,652,466 01, and that in March, when the action was brought, the amount of the city debt was \$21,042,504 36, and redemption fund \$22,107,961 39. The whole matter was summed up in the general allegation that at the time of the trial the amount of the city debt was about \$29,000,000 and the redemption fund some \$30,000,000. It was claimed that these lasts were unknown at the time of the trial shad are important when taken in connection with the grounds upon which the decision of the Court was based.

George Tickner Curtis claimed, on behalf of the city, that these facts were immaterial and that they could have been easily obtained before the trial by inspection of the records in the Compiroller's effice.

Judge Van Vorst took the papers, reserving his decision.

THE DOGS DOOMED.

Opening of the Pound and the Catchers' Season.

"LULU VAS HIS NAME."

Pathetic Appeal of a German Woman to the Keeper.

The Dog Pound, at the fact of Sixteenth street, East River, was informally opened yesterday morning for the season, and up to the hour of closing, at two in the alternoon, received three uniortunate victims at the hands of two small boys and a man. The two small boys received thirty cents each, and started off for a formidable spree on peanuts, cranberry pie and Croton; but the man volunteered his dog gratuitously, as it was thirteen years old, nearly stone blind, good for nothing and he was giad to be rid of it. He hoped it would be effectually drowned and never be a burden to him any more, "They are three ki-yi's and ain't worth shucks," said John Mac-mabon, the keeper of the pound. "This one hore," he continued, pointing to the largest, which was black and cadaverous, "is a tramp; the other there," indicating a little scrabby, frightened specimen, "tries to look like a Scotch terrier, and the third is a regular ki-yi that snooks around ash barrels and has no kind

LOOKING FOR HER LULU. While the keeper was talking an old German woman entered and asked if her dog was found yet. "Why, this is five times you have been here to-day," said the teeper, with a look of astonishment.

"Yaw," replied the old woman, "and I'll gum vivtyfife dimes till I flod my dog."

"What kind of an animal was he, madam?" asked a

"She vas a nice little dog, shust so high," measuring with her hand a height of ten inches from the ground. "His name was Lulu mit a locket on his eck and all white mit a lew red hairs between his eyes. He weigh two pounds you ounce and vas made bresent to me you year ago shust nex Noo Yoar's

"It was a lady dog?" "No, she vas a man dog, and Luiu was his name. No man can come in de nouse but Luiu blic him in de leg mit his calf. Och! (with a neavy sigh), dat dog ish wort \$50 and I not find him any more."

She gave her name as Miss Weber, and having been permitted to look at the last arrival since her prevlous visits in the morning she departed with a troubled countenance, but vowing to come again "vitty WEAT THE DOGS WILL SOON KNOW.

"The dogs'il soon know this pound is open," remarked MacMahon; "the boys'll let 'em know. They can tell when they're bein' fetched here. You ought to see 'em weaken, just like that (dropping his arms and logs as if limp as a towel), when they get inside this shanty. They jest can tell like humans that somethin' bad's agoin' to happen, and they shiver like a fellow with the chills."

A man with a strong German accent and a high color in his face came to inquire about a dog he lost a wook ago. MacMahon was explaining that even if a week ago. MacMahou was explaining that even if a person identified and claimed his dog he would have to pay \$3 poundage belore he could take him away. The German lists ed and grew indignant.

"Visus it das you mean?" he oried, "I pays it conse for my dog and some mans come and steals de muzzle off him and brings him here, and I says if I sees my dog I pays nothin! for him no more."

"El you find your dog here and doa't pay \$3 for him he goes into that cage." said Mac, pointing sternly to the latat black trap lying in the aisle awaiting its prey of dog flosh.

"Vell, how de debil am I to ketch the vellah vot teals my broberty and tore de muzzle off my dog's nose? Bot's vot I vant to know and dot's vots de madder mit Schneider," excitedly returned the other.

day, June 10, at twelve o'clock.

May June 16, Anson Hermander of the district of the standard of the proprietors of the proprie

anybody could bring a dog and get paid for nim. No-body gets paid now but the regularly appointed dog catchers, and each of these has his wagon and gees scouring around until he fills it up. An average load is fitly dogs, which at thirty cents a need makes \$15, and that is a day's work. The biggest loads come from up town, were dogs are not as well watched as they are down town. Inon little boys steal dogs and de-liver them at night to the catchers for five or ten cents a piace, and then they make a good profit on the job."

"What was the largest number you ever drowned is a day?"

"What was the largest number you ever drowned is a day?"

"We drowned one day last year 761 dogs. We drown them twice a week, giving forty-eight hours for his his to each dog from the time he comes in, except when we get over crowded, and then I select such played out kryts as I know and worth a cent and that nobody will call for, and just chuck 'em into the cage and have one with 'em.'"

\*\*SERTCH OF THE POOKS.\*

The pound is as the extreme end of the stroet, at the north side and within a low feet of the rivor. It is a soind frame building put up expressly for its present uses and opened for the first time July 3 of last year. It is about fity feet long and thirty wide, with pens to accommodate hearly two hundred dogs, ranged in four rows down the floor. Some of these pens are larger than the rest and intended for the accommodation of any unfortunate canine of superior blood and dimensions, such as a mastiff, bull dog or Newfoundland of Coaracter; but the great majority are for mongreis, ki-yis and cure of low degree. In the centre of the saise is a huge from age three feet wide and high and ten feet long. There is a situang door in the top through which the dogs doomed to execution by immersion are thrust in, and when sixty or seventy are got together in the eage it is wheeled out on the dock, littled by a strong chain attached to a derick and slung out over the river, into which it is at once dumped and allowed to remain under the surface for seven or eight minutes, at the expiration of which time every dog in the cage has a surely had his day. Then the mass of drowned and dripping bow-wows is hauled up and transferred to White, the contractor for the city's offal. The keeper has a spacious office within the building and adjacent to the cause prison, and here in the season he is kept busy from eight in the morning till two in the siternoon receiving consignments of city curs and answering applications from owners of lost ones. After the pound is close

answering applications from owners of lost ones. After the pound is closed the immaiss are treated to a meal of either most or erackers, given to thom in the dishes.

Two meals are given them during their incorporation, just snoogh six outsides. Door it contains the pound in case as man who has a licease for his dog loses it and fluid them. It should be sated that in case as man who has a licease for his dog loses it and fluid them. It should be sated that in case as man who has a licease for his dog loses it and fluid them to him to complete to buy 33 by going believe Mr. Hardy in the Mayor's office and making an afflacti that the pound he can recover it without being completed to buy 33 by going believe Mr. Hardy in the Mayor's office and making an afflacti that the distribution of lorty-eight hours, but is frequently isken consecutive, and the keeper professes to be a judge, he is not care of for as long a period as a week in hopes of lorty-eight hours, but is frequently isken consecuted by the control of the police, who are a fine of a long a period as a week in hopes of lorty-eight hours, but is frequently its requesting the owner or of disposing of him to some dog insucer. As high as \$2 in any other as the first of a long a period as a week in hopes of lorty-eight hours, but is frequently in the country for later of a long a period as a week in hopes of lorty-eight hours, but he will be an arrow of the country of the

THE EUGENE BRADY CLUB.

There was quite a delogation from the Eugen-There was quite a delegation from the Engene Brady Club in court yesterday. Officer Genore introduced them as Engene Brady, Chris Piunkett, Judas Cohen, Joseph Lively, James Bennett and John O'Brien. He had his attention called to the rooms of the organization, at Na 126 West Forticht street, he said, by sounds of bolaterous revelry, mingled with the shricks of a woman. There he found the alubmen engaged in anneying a drunken woman, while a couple of female visitors, Kate Lewis and Emma Lawrence by name, were loudly evincing their approbation. The officer called for aristance and arrested the whole party. To the House of the Good Shepperd Judge Murray sent the girls, and such of the Engene Brady Club as have not paid a \$10 fine will convene at the Island.

THE ANNEX DISASTER.

crived the statements of the pilots of the Brooklyn annex boat James A. Stevens and the John Cooker concerning the recent lision which resulted in the less of the ission which resulted in the less of the Stevens. As is usual the reports are very contradictory. William Black, pilot of the Stevens, reports that the Cooker ran loto and sunk his boat on Saturday last, and John Rose, pilot of the Cooker, raports that the Stevens ran into his craft. The result of the collision, to says, was insignificant, and the among boat proceeded down from Jewell's dock to Martin's dock, where a second collision occurred with another boat, which caused the sinking of the Stevens. Black speaks of only one accident, and the inspectors are at a loss to reconcile the accounts.

## DEATHS.

AREKX.—On Sabbath morning, June 16, James Areks, in the 37th year of his age.

Funeral from the residence of his parents, 126 West 20th st., Tuesday, at 12:30 P. M.

Annaum.—At Paris, on the 18th May, 1878, ESTREE N., wife of Victor Arnaud and daughter of the late Joseph Bouchaud, of New York.

Sarks.—On Saturday, June 16, Charles Barth, in his 66th year.

Relatives and friends are invited to attend the funeral, on luesday, at two P. M., from the Dutch Reformed Church, Houston street.

Bannstt.—On Sunday, June 16, Franklyn T. Brankstt, in the 53th year of his age.

Relatives and friends are respectfully invited to attend the tuneral, from his fake residence, Irvangton, N. Y., at half-mat two P. M., Tuesday, June 18.

Bannstt.—On Monday, June 17, Richard Shamar Brankstt, aged 55 years, 10 months and 28 days.

The relatives and friends of the lamily are respectfully invited to attend the funeral, from his late residence, 128 Huron att., Greenpoint, Brooklyn, E. D., this day (Tuesday), June 18, at two o'clock F. M.

Bender, the beloved wife of Thomas Burns, in the 39th year of her age

The relatives and friends of the family are respectfully invited to attend the funeral, from her late refridence, No. 154 9th at., Jersey City, on Wednesday, at one P. M., from thence to Calvary Comstery.

Bernout, the bastend the funeral, from her late refrience, No. 154 9th at., Jersey City, on Wednesday, at one P. M., from thence to Calvary Comstery.

Bernout, the stage of the Advisinian Baptist Church, 166 Waverley place, at twelve o'clock Tuesday, June 18, at two clock trans 201 Division st.

The funeral will take place Tuesday, June 18, at two clock trans 201 Division st.

The funeral will take place Tuesday, June 18, at two o'clock, from 201 Division st.
COOPER.—On Monday, 17th, John D. Cooper, in the 69th year of his age.
The relatives and friends are invited to attend the funeral at his late residence, Cooper's Hotel, Ridgewood, L. I., on Wodnesday, June 19, at two o'clock P. M. Bushwick Railroad (rapid transit) passes the

wood, L. I., on Wednesday, June 19, at two o'clock P. M. Bushwick Railroad (rapid transit) passes the door.

Chear.—Suddenly, on Mooday, June 17, Stephenia I. Durando, wife of Charles L. Crear, aged 23 years, 5 months and 16 days.

Relatives and irlends are respectfully invited to attend the innoral, from her late residence, No. 450 West 51st st., on Wednesday, June 19, 1878, as ton o'clock A. M.

Custis —At Red Bank, N. J., on June 17, 1878, Margaret S., wife of Henry H. Curus.

Relatives and friends are invited to attend the inneral, on Wednesday, June 19, as hair-pass two o'clock P. M., from Trinity Church, Red Bank.

Down.—June 17, Namy, the beloved daughter of Michael and Hannah Down, aged 3 years, 2 months and 14 days.

The relatives and friends of the family are invited to attend the inneral, at the residence of her parents, No. 23 Barrow st., on Wednesday, June 19, at two o'clock P. M.

Gallagher.—At Throgg's Neck, Westchester, on Monday, June 17, Charles Gallagher, aged 50 years. The relatives and friends are invited to attend the inneral, from his residence, Throgg's Neck, on Wednesday, June 19, at twelve o'clock.

Herrick.—At Modroe, N. Y., June 15, Anson Herrick, o' Paterson, N. J., son of the late Anson Herrick, o' New York city, and one of the proprietors of the Paterson Guardian.

Funeral services on Tuesday, June 18, at halt-past three P. M. at 282 Broadway, Paterson, N. J. Carragos will meet Eric trains leaving New York at 12 M. and 1:45 P. M. at the Paterson depot. Interment at Greenwood.

Jennings.—At Morrosanta, N. Y., June 17, 1878,

DETH SWIFT, wile of Exra N. Lefferta, aged 32.

The relatives and irrends of the lamily are respectively invited to attend the luneral, from her late real-dence, 812 Greenwich street, on Tuesday, at one o'clock.

Lawis.—Ox Saturday evening, June 15, Charles O. Lewis, sou of Waiter O. and Harriet Lewis, in his 324

Citors.

Lewis, son of Waiter O. and Harriet Lewis, in his 324 year.

Relatives and friends are invited to attend the funeral services at the Church of the Holy Trinity, corner of Citition and Muniagus sta, Brooklyn, on Tucsday, 18th Inst., at three o'clock P. M. Friends will please omit flowers.

Verrara Association, Twenty-Thind Regiment, N. G. S. N.Y., Beocklyn, June 17, 1878.—The members of this association are requested to attend the funeral of our late ascociate Charles O. Lewis, at the Church of the Holy Trinity, corner of Clinton and Montague sts., Brooklyn, On Tucsday, the 18th Inst., at three o'clock P. M. C. H. STODDARD, President. Lockwood. —Monday, June 17, 1878, Mary Are, wife of Milton R. Lockwood, in her 28th year.

Relatives and friends are invited to attend the funeral, from her late residence, 31d South 31 st., Brooklyn, E. D., on Wednesday, 19th Inst., at two o'clock.

Long.—On Sunday, June 16, 1878, Thomas A. Long, the beloved son of John and Jame Long, in the 13th year of his age.

The funeral will take place from his late residence, 1402 Broadway, on Wednesday, the 19th inst., at haltpast one P. M.

MACHY.—Hexnry J. Macyr., suddenly, at the New York Hospital.

Notice of inneral in to-morrow's paper.

MAGRATH.—Sunday evening, June 16, Elemanty, beloved wife of Heary Magrath, agod 50 years, into o'clock.

Friends and acquaintances are respectfully invited to attend the inneral, from her late residence, 42d fin av., on this day (faceday), at two o'clock, preciety. Interment Calvary Cemetery.

Nisstage.—On Sunday, June 16, Gronge W., son of J. H. H. and Edwardth Nessiage, aged 17 years and 23 days.

Funeral services at the House of his parents, 408 Went 44th st., on Tucsday, at two o'clock, Preciety. Interment Calvary Cemetery.

Nisstage.—On Sunday, June 19, at halt-past teg o'clock, Magnathy, in the 74th year of her age.

Funeral from St. Junes? Cathedrai, Jay et., Procklyn, Wednesday morning, June 19, at halt-past teg o'clock. Relatives and friends are respectfully in.

Verick.—Quality.—On